

BILLY J. WILLIAMS, OSB #901366
United States Attorney
District of Oregon
ALISON MILNE, OSB #155212
Assistant United States Attorney
1000 SW Third Avenue, Suite 600
Portland, Oregon 97204-2902
Phone: 503.727.1033
Email: alison.milne@usdoj.gov
Attorneys for Defendant

ANDREW Z. TAPP, Florida Bar #68002
Pro Hac Vice
Metropolitan Law Group, PLLC
1971 W. Lumsden Road, #326
Brandon, FL 33511-8820
Phone: 813.228.0658
Email: Andrew@Metropolitan.legal

ROBERT E. REPP, OSB #742687
P.O. Box 148
Marylhurst, OR 97036
Phone: 503-701-9659
Email: Repp.medlaw@gmail.com
Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

**ASTORIA DOWNTOWN MARKET, et
al.,**

Case No.: 3:18-cv-01367-AC

Plaintiffs,

JOINT STATUS REPORT

v.

UNITED STATES OF AMERICA,

Defendant.

In accordance with the Minute Order the Court issued January 25, 2019 (ECF 22), Defendant United States of America and Plaintiffs Astoria Downtown Market and Samuel McDaniel (“Plaintiffs”) hereby respectfully file this joint status report in the above-captioned action.

Defendant filed its Unopposed Motion for a Stay of Case Deadlines in Light of Lapse of Appropriations January 23, 2019. This Court granted Defendant’s motion on January 25, 2019, and directed the parties to file a joint status report with a proposed scheduling order 14 days after the end of the lapse of appropriations.

During the lapse of appropriations which began December 21, 2018, and ended January 25, 2019, employees at the Department of Agriculture’s Food and Nutrition Service (“FNS”) as well as the attorney assigned to the case at the U.S. Department of Agriculture (“Agriculture attorney”) were furloughed and were unable to finish preparing and reviewing the Administrative Record for this case. Counsel for Defendant was also prohibited from working on this case. Employees at FNS, the attorney at the U.S. Department of Agriculture assisting with this case and Counsel for the Defendant have since returned to work. Counsel for Defendant expects to receive the finalized Administrative Record in time to meet the deadline to file the administrative record in accordance with proposed scheduling order outlined below.

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The parties have conferred and submit the following proposed scheduling order:

Requirement	Deadline prior to Stay	Proposed Deadline
Filing of Administrative Record	February 4, 2019	March 4, 2019
Filing of Plaintiff's Motion for Summary Judgment	March 29, 2019	May 6, 2019
Filing of Defendant's cross-motion and response to plaintiff's motion	April 19, 2019	May 28, 2019
Filing of Plaintiff's reply in support of their motion	May 3, 2019	June 11, 2019
Filing of Defendant's reply	May 17, 2019	June 25, 2019

Respectfully submitted this 8th day of February, 2019.

DATED: February 8, 2019

By: s/ Andrew Z. Tapp
 ANDREW Z. TAPP, Florida Bar #68002
Pro Hac Vice
 Metropolitan Law Group, PLLC
 1971 W. Lumsden Road, #326
 Brandon, FL 33511-8820
 Phone: 813.228.0658
 Email: Andrew@Metropolitan.legal

DATED: February 8, 2019

By: _____ *

ROBERT E. REPP, OSB #742687
P.O. Box 148
Marylhurst, OR 97036
Phone: 503-701-9659
Email: Repp.medlaw@gmail.com
Attorneys for Plaintiff

DATED: February 8, 2019

By: BILLY J. WILLIAMS
United States Attorney
District of Oregon

s/ Alison Milne _____

ALISON MILNE, OSB #155212
Assistant United States Attorney
1000 SW Third Avenue, Suite 600
Portland, OR 97204-2902
Phone: 503.727.1033
Email: alison.milne@usdoj.gov
Attorneys for Defendant

*Mr. Tapp advises that Mr. Repp was unavailable to provide his consent to this filing, but should the Court require it, Mr. Repp's consent will be obtained at a later date.